

# DISTRICT OF COLUMBIA BUILDING CODE ADVISORY COMMITTEE

c/o DCRA/BLRA · 941 North Capitol Street, NE, Ste. 2000 · Washington, DC 20002

## CODE CHANGE PROPOSAL FORM

2003 ICC FAMILY OF CODES

PAGE 1 OF 16

CODE: IBC

SECTION NO. 3202

SUBCOMMITTEE AMENDMENT NO. C-5

PROPOSING SUBCOMMITTEE: Constr

CHAIR: Fetterman

PHONE: 202/625-2525 E-mail: fetterman-dc@att.net

DATES: OF PROPOSAL: 4/18/05

BCAC PRESENTATION: 4/20/05

BCAC APPROVAL:

CHECK ONE



*Revise section to read as follows:*



*Delete section and substitute the following:*



*Add new section to read as follows:*



*Delete section without substitution.*

TYPE ALL TEXT IN 12-POINT TIMES NEW ROMAN FONT

~~LINE THROUGH TEXT TO BE DELETED~~ (highlight text, under *Format*, click font and check strikethrough)

UNDERLINE TEXT TO BE ADDED

Use additional sheets of the form, if necessary.

(See following pages)

Anticipated impact of code change on cost of construction (CHECK ONE)

☐ Increase

☐ Decrease

☒ Negligible

☐ Unknown

If "Increase" box was checked, indicate estimated range of added cost:

Per 1,000 SF single-family dwelling to

Per 1,000SF of commercial building to

## JUSTIFICATION OF CHANGE:

This amendment, continues provisions of existing 2003 12 DCMR and has evolved over time in response to our unique urban environment. Some provisions may be based on existing regulatory statutes.

Policy 4.a. Inappropriate provision due to local conditions (climate, physical, urban planning or economic).

Policy 4.d. Provision that is inconsistent or conflicting with District statute, regulation or policy.

## CHAPTER 32A ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

### SECTION 3201A GENERAL

*Maintain this Section without deletion*

### SECTION 3202A ENCROACHMENTS

*Delete Sections 3202.1 through 3202.4 in their entirety and substitute the following:*

**3202.1 Character of encroachments.** Encroachments (hereinafter referred to in this Section as “projections” are a privilege. They cannot be claimed as a right, and require a permit issued by the code official. The provisions of Section 3202 establish the limitations on projections that may be granted, but proposed projections may be further restricted or refused if the code official considers such action best for the public interest.

**3202.2 Removal of projections.** All permits for projections shall be issued with the understanding and agreement by the applicant that any and all such projections shall be promptly removed upon notice by the code official.

**3202.3 Projections not requiring individual approval.** Footing projections approved in connection with building permits, bases, sills, water tables, cornices, belt courses, and roof overhangs conforming with requirements hereafter defined, shall not require approval as projections.

**3202.4 Modification of projection requirements.** The code official is authorized to grant modifications of requirements on projections when either Section 3202.4.1 or 3202.4.2 applies.

**3202.4.1 Modifications in the general public interest.** Modifications requested to embellish the building, when the primary object of the modification is not the occupation of additional public space or changing of interior arrangements, and in the opinion of the code official such modification will not interfere with adjacent buildings nor with the general public interest.

**3202.4.2 Foregone construction.** When the owner will permanently forego construction on, or the use of, a projection portion of his or her lot, in conformity with a plan previously approved by the National Capital Planning Commission for improvement of any street or thoroughfare, and the code official determines that the public interest will thereby be better served, the code official is authorized to grant a modification to authorize projections which shall equitably compensate such owner. Such projections and arrangements shall comply with the limitations and conditions of Sections 3202.4.2.1 through 3202.4.2.5.

**3202.4.2.1 Width.** The width of projections allowed under Section 3202.4.2 shall be limited as follows:

1. Where the adjoining structure projects into public space a distance equal to or in excess of the proposed projection, the proposed projection may be constructed to the lot line extended, on the side of such adjoining structure.

2. Where the adjoining structure does not project into public space, or projects a distance less than the proposed projection, the proposed projection shall not extend to within 10 feet (3048 mm) of the lot line extended, on the side of such adjoining structure, unless the angle formed by the building line and the face of the proposed projection does not exceed 45 degrees.
3. Projections at the corner of two streets shall be allowed to continue around the corner if corresponding projections are approved for both streets.

**3202.4.2.2 Height.** The height of projections above grade shall be limited to the height of the building. No portion of such projection or supports thereof shall be constructed less than 20 feet (6096 mm) above the sidewalk or parking grade at any point. When approved, balconies or other projections, which in the judgment of the code official will embellish the area, may be constructed with lower clearances above grade but never less than 8 feet (2438 mm) above walkways, nor less than 15 feet (4572 mm) above driveways.

**3202.4.2.3 Projecting distance.** No projection shall extend leaving a clear space of less than 4 feet (1219 mm) from the footprint on the face of the projection to the outer edge of the curb. In addition, the projection shall be limited as specified in Table 3202.4.2.

**TABLE 3202.4.2  
MAXIMUM PROJECTIONS  
UNDER FOREGONE CONSTRUCTION MODIFICATIONS**

TYPE OF STREET	WIDTH OF STREET (feet) <sup>a</sup>	MAXIMUM PROJECTING DISTANCE (feet) <sup>a</sup>
Unparked	40 to 45	4
Unparked	45 to 70	6
Unparked	70 to 80	8
Unparked	80 or over	14
Parked	Any width	14

Note a. 1 foot = 304.8 mm

**3202.4.2.4 Required covenant.** The owner who applies for a projection modification under Section 3202.4 shall record a covenant, complying with Section 106.6.4, with the Recorder of Deeds.

**3202.4.2.5 Referrals.** The code official shall refer all applications for projections under Section 3202.4.2 to the Public Space Committee for consideration and recommendation.

**3202.5 Projections on streets to be widened.** No new projections shall be allowed on the parts

of streets to be widened in conformity with adopted and recorded highway extension plans until such parts of streets are so widened.

**Exceptions.** Where existing streets or avenues are widened, or new streets or avenues are laid out and opened, in conformity with the adopted and recorded highway extension plans, in subdivisions existing at the time of record of such plans, and such widening or opening shall leave buildings or parts of buildings on such streets or avenues, such buildings will be allowed projections beyond the building line. The projections of such buildings shall be limited in size to those allowed for porches but no limitations shall be placed upon the kind of projection unless the facade is structurally altered. In case the facade is structurally altered the projections shall conform in all respects to those described in the following regulations. Such buildings are permitted to be moved under permit to another location on the same lot, upon compliance with applicable regulations.

**3202.6 Streets on which projections are prohibited.** No projections except cornices, bases, sills, belt courses, pilasters, and water tables, shall be permitted beyond the building line of the streets listed below.

1. North side of Good Hope Road between Martin Luther King Jr. Avenue and Eighteenth Street, S.E.;
2. Florida Avenue, N.W., from Seventh Street to Ninth Street;
3. Maine Avenue, S.W., from Seventh Street to Fourteenth Street;
4. M Street, N.W., from Twenty-ninth Street to Thirty-sixth Street;
5. K Street, N.W., from Rock Creek westward to Wisconsin Avenue;
6. Water Street, N.W., from Wisconsin Avenue westward to the termination of said street;
7. Wisconsin Avenue, N.W., from the angle south of N Street to the north roadway of Q Street;
8. Twelfth Street, N.W., from Monroe Street to the angle north of Otis Street;
9. Martin Luther King Jr. Avenue, S.E. from Good Hope Road to the northern boundary of the grounds of St. Elizabeth's Hospital.

**3202.7 General restrictions.** All projections shall comply with the provisions of Sections 3202.7.1 through 3202.7.6.

**3202.7.1 Limitations based on street width.** No projection other than uncovered steps, cornices, bases, water tables or pilasters, shall be allowed on any street less than 60 feet (18 288 mm) in width and in any case a clear space from the outer edge of the curb to the outer face of all projections and steps shall be preserved and shall be not less than:

1. Six (6) feet (1829 mm) on streets 40 feet (12 192 mm) but less than 50 feet (15 250 mm) wide;

2. Eight (8) feet (2438 mm) on streets 50 feet (15 240 mm) but less than 60 feet (18 288 mm) wide;
3. Ten (10) feet (3048 mm) on streets 60 feet (18 288 mm) to and including 80 feet (24 384 mm) wide;
4. Twelve (12) feet (3658 mm) on streets over 80 feet (24 384 mm) to and including 90 feet (27 432 mm) wide;
5. Fifteen (15) feet (4572 mm) on streets more than 90 feet (27 432 mm) wide.

**3202.7.2 Clearance.** Except as provided in Section 3202.7.2.1 a clear space of at least eight (8) inches (203 mm) shall be preserved between party lines or alley lines extended and the outer walls or sides of projections.

**3202.7.2.1 Clearance exemption.** Cornices, belt courses, pilasters, bases, water tables, and walls or areas, are permitted to extend to but not over party lines or alley lines extended, but shall be constructed so that the removal of one house or its projections will not affect or damage the adjoining house or projections and will not interfere with the construction or reconstruction of projections or buildings on the adjoining property.

**3202.7.2.2 Definition of party lines extended.** The term "party lines extended" means lines through the corners of the property and perpendicular to the street.

**3202.7.3 Chimneys.** No chimney shall project beyond the building line or building restriction line.

**3202.7.4 Plumbing fixtures.** No plumbing fixtures shall be located in projections.

**3202.7.5 Overhead projections.** No portion of a sign, fixture, marquee, or other overhead projection of a building shall extend over public space closer than 18 inches (457 mm) from of the curb line, except as provided for market sheds in Sections 3202.12.4 through 3202.12.4.3.

**3202.7.6 Construction of projections.** Except as modified elsewhere herein for specific projections, all projections shall be constructed of noncombustible materials. Roofing, skylights and roof domes in projecting structures are permitted to be of the same materials as allowed for similar non-projecting structures.

**3202.8 Projections requiring special approval.** Projections under Sections 3202.8.1 and 3202.8.2 shall require approval by the Director of Public Works.

**3202.8.1 Pedestrian walkways and tunnels.** Pedestrian walkways and tunnels shall meet the requirements of Section 3104. In addition, the vertical clearance from the public right-of-way to the lowest part of a pedestrian walkway shall be 15 feet (4572 mm) minimum.

**3202.8.2 Porte-cocheres.** Porte-cocheres shall be permitted one story in height. All driveways and approaches crossing sidewalks or parking lots shall be paved and

otherwise improved to the satisfaction of the Director of Public Works.

**3202.9 Subsurface projections.** Areaway, vault, and coal chute projections shall comply with the requirements of Sections 3202.9.1 through 3202.9.3.

**3202.9.1 Areaways.** Areaway projections shall comply with the following requirements:

**3202.9.1.1 Width.** The width to outside of area enclosing walls between lot lines extended is not limited. The extent of projection shall be measured from the building line to the inside face of the areaway wall.

**3202.9.1.2 Enclosure height.** The height of areaway enclosures shall be limited to the surface of the pavement or grade.

**Exceptions.** Copings not over 8 inches (203 mm) high, and railings.

**3202.9.1.3 Projection.** Projection beyond the building shall be limited by zoning districts, as defined in the current Zoning Regulations, as follows:

1. Four (4) feet (1219 mm) on streets in C, C-M, and M Districts.
2. Four (4) feet (1219 mm) on unparked streets in Residential Districts and SP Districts, more than 60 feet (18288 mm) wide.
3. Six (6) feet (1829 mm) on parked streets in Residential Districts and SP Districts, 60 to 70 feet (18288 mm to 21336 mm) wide.
4. 6 ½ feet (1981 mm) on parked streets in Residential Districts and SP Districts, more than 70 feet (21 336 mm) wide.
5. Seven (7) feet (2134 mm) on parked streets in Residential Districts and SP Districts where parking is 20 feet (6096 mm) or more in width.

**3202.9.1.4 Other requirements.** Areaways shall be protected by strong metal railing not less than 42 inches (1067 mm) nor more than 48 inches (1219 mm) high. Proper protection by metal railings shall be provided where steps or platforms are built over areas. Basement or cellar steps in areaways shall be protected in the same way and have gates at top of steps unless otherwise protected.

**Exception.** Areaways located in unpaved parking that cannot lawfully be paved are permitted to be protected by substantial metal gratings.

**3202.9.1.5 Alley location prohibited.** Areaways shall not be located in an alley.

**3202.9.2 Vaults.** Vaults shall comply with the requirements of Sections 3202.9.2.1 through

**3202.9.2.1 Permits.** Applications for vault permits shall comply with the following:

1. Plans shall be submitted showing the location and dimensions of the vault and all openings, the depth, and proposed construction.
2. The application for a vault permit shall be accompanied by a certified copy showing the recordation with the Recorder of Deeds, District of Columbia, of a written agreement upon the official form for the purpose signed by the owner of the abutting property, contracting to release and relinquish the vault space, and to remove, free of expense to the District of Columbia, all structural parts of the vault when so ordered by the code official, as required by the Police Regulations.

**3202.9.2.2 Size and openings.** Vault design shall comply with the following:

1. The size and extent of vaults, and the number and size of openings, will be a matter of special determination in each case by the code official.
2. Vaults extending under alleys shall have no openings in alley pavement, and shall not extend within 2.5 feet (762 mm) of the center of the alley.

**3202.9.2.3 Use of vault space.** The use of the vault space shall be restricted as follows:

1. In business districts, vaults shall not be used for: public entrances to basements; exit corridors unless they are open areaway stairs; the housing of boilers, plumbing fixtures, propane or any similar flammable gas; or the housing of mechanical appliances or any equipment not removable within 24 hours. However, except for transformer vaults, vaults shall be allowed to be used for the storage of readily movable personal property and equipment, for sales or office space, for the storage of fuel oil tanks, or for the parking of motor vehicles. Ducts, pipes, wiring, fans, ducted air shafts, and similar items which can be removed or relocated if vault space is removed shall be allowed to be installed in vault space.
2. In business districts, filling pipes for fuel oil shall be extended to within 18 inches (457 mm) of the curb line when physically possible. Such pipes shall terminate in filling boxes of approved design. A separate permit shall be required for filling pipes and boxes.
3. If openings in the roofs of vaults are used for sidewalk elevators or for runways, they shall be located as near to the curb as possible and shall be equipped with heavy metal safety doors and frames.
4. The code official is authorized to approve other uses not forbidden by law, code, or regulation.

**3202.9.2.4 Vault cover.** Cover over vaults shall comply with the following:

1. The paving over vaults shall be laid according to specifications of the Department of Public Works for surface paving and shall conform with

established grades. All such coverings shall be so constructed as to be flush with pavement, and have a roughened surface to provide security to persons passing over them. Pavements over vaults shall be laid at the expense and risk of the owner of abutting property, but not until a special permit or order has been issued by the Department of Public Works. The roof of a vault between the curb and building lines shall at no place be less than 4 inches (102 mm) below the approved sidewalk grade at that point.

2. Vaults shall be roofed over within a reasonable time or within the time fixed by the permit. Whenever the grade is changed, the vault shall be changed and repaved at the expense of the owner of abutting property, to comply with the new grade.

**3202.9.2.5 Interference with utilities.** Construction of vaults shall observe the following restrictions:

1. Vaults shall be constructed so as not to interfere with sewers, water mains, gas mains, electric or telephone conduits, signal conduits, manholes, lamp posts, trees, or any other public or public utility works or improvements.
2. If construction or alteration of a vault requires the removal or relocation of utilities, and if by agreement a public utility or District utility arranges to alter its facilities, the owner of abutting property shall notify the appropriate company or office concerned as to when he or she has been issued a permit and is ready to start construction or alteration work.

**3202.9.3 Coal chutes.** In Residential and SP Districts, coal chutes with circular cast iron covers shall be allowable to be located within the space allowed for areaways, provided however, that no coal chute shall be located within the sidewalk space. In C, C-M, and M Districts, the location of coal chutes shall conform to the requirements for vaults.

**3202.10 Balconies, windows, towers and structural trim.** Balconies, windows, towers and structural trim shall conform to the provisions to Sections 3202.10.1 through 3202.10.9.

**3202.10.1 General restrictions.** The restrictions of Sections 3202.10.1.1 and 3202.10.1.2 shall apply to projections as specified therein.

**3202.10.1.1 Prohibition on alley location.** No balcony, bay or oriel window, or tower shall project over alley spaces.

**3202.10.1.2 Restrictions based on zoning districts.** No bay or oriel window, or tower projecting over public space shall be allowed on buildings to be built in C, C-M, or M Districts, as defined in the current Zoning Regulations. No show windows projecting over public space shall be allowed on buildings to be built in Residential or SP Districts, as defined in the current Zoning Regulations. Where such projections are on existing buildings in such districts, and the buildings are structurally altered, the projections shall be removed. Bay or oriel windows, or towers are permitted on buildings in Residential or SP Districts, including one or more street fronts of such buildings.



**3202.10.2 Balconies.** Balconies shall comply with the following width, height, and projection requirements:

**3202.10.2.1 Width.** Balcony width is unlimited except for 8-inch separation from party or lot lines extended. Where balconies are built in conjunction with bay windows, they shall comply in width with the requirements for bay windows and be included in their width.

**3202.10.2.2 Height.** Height of railings shall be limited to 3 feet 6 inches (1067 mm) above the floor of the balcony.

**3202.10.2.3 Projection.** The balcony projection shall be limited to 3 feet (914 mm) from the building line on streets more than 60 feet (18 288 mm) and less than 70 feet (21 336 mm) wide, and to 4 feet (1219 mm) from the building line on streets 70 feet (21 336 mm) or more in width.

**3202.10.3 Bay windows.** Stairways shall not be permitted in the bay windows. Doors, not swinging beyond the projection, shall be permitted.

**3202.10.3.1 Width.** The width of bay windows shall be limited as follows:

1. A single projection of 9 feet (2743 mm) in width shall be allowed for all buildings having a width of 16 feet (4877 mm) or more at the building line; the allowable width of a single projection shall increase 6 inches (152 mm) for every foot (305 mm) of increase in the width of the buildings 24 feet (7315 mm) wide at the building line. For buildings over 24 feet (7315 mm) in width the allowable width of a single projection shall increase 2 inches (51 mm) for every foot (305 mm) of increase in width of the building over 24 feet (7315 mm).
2. Double projections (two separate projections) shall not be allowed on buildings less than 24 feet (7315 mm) wide at the building line. On buildings 24 feet (7315 mm) wide a double projection shall be allowed, the total width of both projections not to exceed 13 feet (3962 mm). The allowable width of double or multiple projections on buildings exceeding 24 feet (7315 mm) wide at the building line shall be increased 6 inches (152 mm) for each foot (305 mm) of increased building width over 24 feet (7315 mm).
3. The width of all projections shall be measured at a distance of one foot from the building line.
4. Bay window projections of buildings on interior lots shall not extend beyond party lines extended. Bay windows at the corner of two streets are permitted to be continued around the corner. The portion of the bay window beyond building lines extended shall not be counted in the width of projections on either front.

**3202.10.3.2 Height.** The height of bay windows is not limited.

**3202.10.3.3 Projection.** The projection shall be limited as follows:

1. Three (3) feet (914 mm) on streets 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.
2. Four (4) feet (1219 mm) on streets more than 70 feet (21 336 mm) wide.

**3202.10.4 Oriel and show windows.** Oriel and show windows shall conform with all the requirements governing bay windows.

**3202.10.5 Towers.** Tower projections shall conform with all the requirements governing bay windows.

**3202.10.6 Colonnades.** The width of colonnades is not limited except by the clearance from party and alley lines extended required under Section 3202.7.2. Colonnades shall comply with the following height and projection requirements:

**3202.10.6.1 Height.** The height of colonnades is limited to two stories above grade. The main floor of the colonnade shall not be more than 7 inches (178 mm) above grade.

**3202.10.6.2 Projection.** Colonnade projection is limited to 6 feet (1829 mm) where parking is 17 feet (5182 mm) or more wide. No colonnades shall be permitted where parking is less than 17 feet (5182 mm) wide.

**3202.10.7 Pilasters.** Pilasters not more than 5 feet (1524 mm) wide are permitted to project 4 inches (102 mm) beyond the building line; pilaster bases are permitted to project 8 inches (203 mm) beyond the building line.

**3202.10.8 Bases, water tables, and sills.** Bases and water tables shall not be more than 4 feet (1219 mm) above grade at the building wall nor above window sill level of the main story. Their length is not limited. The projection beyond the building line of bases, water tables, and window and other sills, is limited to 8 inches (203 mm).

**3202.10.9 Belt courses, cornices and roof overhangs.** The length and height of belt courses, cornices, and roof overhangs are not limited. The projection beyond the building line is limited to 8 inches (203 mm) for belt courses and 60 inches for cornices and roof overhangs.

**3202.11 Porches, steps, ramps and doors.** Porches, steps, ramps and doors shall conform to the provisions of Sections 3202.11.1 through 3202.11.5.

**3202.11.1 Restrictions by zoning districts.** Porch and step projections shall be allowed only in Residential and SP Districts, as established by the current Zoning Regulations.

**3202.11.2 Porches.** Porches shall have open balustrades or railings and shall be open to the roof. The floor of the porch shall be not more than 5 feet (1524 mm) above the terrace, parking, or pavement.

**3202.11.2.1 Width.** Where there are no bay windows, oriel or tower projections, porches shall not be limited in width. Where there are such projections in the same story, the total width of porch and bay window, oriel, or tower projections shall not exceed that given for multiple bay window projections.

**3202.11.2.2 Height.** Porches shall be limited to one story in case of wood frame construction. Porches of more than one story in height shall be of noncombustible construction throughout and shall conform to the provisions for bay windows in Section 3202.10.3 as to the width and extent of projection beyond the building line.

**3202.11.2.3 Projection.** Porch projection shall be limited as follows:

1. Three (3) feet (914 mm) on unparked streets, 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.
2. Four (4) feet (1219 mm) on unparked streets more than 70 feet (21 336 mm) wide.
3. Five (5) feet (1524 mm) on all parked streets.

**3202.11.2.4 Rear porches.** Porches on rear of dwellings shall not project over the building line or building restriction line.

**3202.11.3 Steps and ramps.** Steps and ramps are not limited in width but shall comply with the following height and projection requirements.

**3202.11.3.1 Height.** Step and ramp heights shall be limited to that of the main floor.

**3202.11.3.2 Projection.** Step and ramp projection shall be limited as follows:

1. Three (3) feet (914 mm) on unparked streets 40 feet (12 192 mm) but less than 45 feet (13716 mm) wide.
2. Four (4) feet (12 192 mm) on unparked streets 45 feet (13 716 mm) but less than 70 feet (21 336 mm) wide.
3. Five (5) feet (1524 mm) on unparked streets 70 feet (21 336 mm) but less than 80 feet (24384 mm) wide.
4. Six (6) feet (1829 mm) on unparked streets 80 feet (24 384 mm) wide or over.
5. Ten (10) feet (3048 mm) on parked streets.

**3202.11.4 Projecting doors and windows.** Projecting doors and windows shall conform to the provisions of Sections 3202.11.4.1 through 3202.11.5.

**3202.11.4.1 Permanent doors or windows.** No permanent door or window shall

open outward on public spaces when less than 12 feet (3658 mm) above the sidewalk grade.

**Exception.** Where the line of travel is protected by an adjoining porch, terrace, bay window, areaway, or similar construction, projecting not less than the outward swing of the door, permanent doors or windows are permitted to open outward.

**3202.11.4.2 Residential or SP districts.** Permanent doors and windows in Residential or SP Districts shall be allowed to open on public parking, provided they do not encroach on any sidewalk or driveway.

**3202.11.5 Storm doors.** Storm doors projection beyond the building shall not exceed 3 feet (914 mm) and width of enclosure shall be not more than 3 feet 914 mm) beyond each side of the permanent door opening. When doors are located on a business street where there is no parking, doors shall be placed in the side of the vestibule and open outward or be double acting.

**3202.12 Awnings, canopies, marquees, market sheds, platforms, and scales.** Awnings canopies, marquees, market sheds, platforms, and scales shall conform to the provisions of this Section and other applicable Sections of this code.

**3202.12.1 Awnings.** Awnings shall conform to the provisions of this Section, Section 3105 and other applicable Sections of this code.

**3202.12.1.1 Projecting awnings beyond the building line.** Awnings shall have a minimum clear height of 8 feet (2438 mm) above the sidewalk or any other space used by the public, and shall comply with the provisions of Sections 3202.12.1 through 3202.12.1.6.

**3202.12.1.2 Folding, hinged or fixed awnings.** Folding, hinged or fixed type awnings attached only to the structure are permitted to be erected over windows, show windows and doors and shall extend not over 5 feet (1524 mm) beyond the point of attachment. The width shall be sufficient to cover only the door or opening and a reasonable distance each side thereof.

**Exception:** Projecting porches are permitted to be covered with an awning in Residential Districts.

**3202.12.1.3 Awnings over parking and sidewalks.** Awnings with fixed iron posts and frames are permitted to be erected beyond the building line to the inner line of the sidewalk. The code official is authorized to approve permits for awnings of this class for use in conjunction with any place of assembly having an occupant capacity greater than 100 persons; with any residential building having more than 50 dwelling units; and with any mercantile establishment or business building when such establishment or business building has a frontage of 100 feet (30480 mm) or more on the street on which the awning is proposed or contains more than 15,000 square feet (1,395 square meters) in area per floor.

**3202.12.1.4 Specific cases.** In specific cases where the code official determines

that such an installation would be of merit without being detrimental to the public, awnings over sidewalks may extend as close as 18 inches (457 mm) from the curb. In these cases, when the code official determines that (a) pedestrian traffic flow will not be impeded, (b) the presence of such an awning will not detract from the appearance of the neighborhood, and (c) such an awning will be of convenience to the patrons of the establishment served by the awning, especially in the loading and unloading of vehicular traffic in inclement weather, the code official is authorized to grant approval.

**3202.12.1.5 Awning width.** The width of awnings over parking or sidewalks typically shall be limited to the width of the door or opening and a reasonable distance each side thereof. Awnings shall be of approved fire-retardant material and of sufficient size to afford cover over the authorized seating area, preserving a minimum clearance of 8 inches (203 mm) from the party lines extended. All permit applications must be accompanied by drawings showing the spacing of all posts and method of anchoring. The frames shall be structurally stable and posts shall be so located as not to impede the principal flow of pedestrian traffic. Posts shall be rigidly secured at the base in sockets or by other approved means.

**3202.12.1.6 Temporary awnings or canopies.** Permits for sockets in the sidewalk for temporary covered ways across sidewalks or parking, as provided in Section 105 of DCMR Title 24 shall be issued upon approval of the Department of Public Works. Permits for sockets confer no authority to erect temporary covered ways across sidewalks or any other space used by the public. Where sockets have been regularly installed, the Police Department will thereafter issue temporary permits authorizing the use of the temporary covered way in inclement weather.

**3202.12.2 Canopies.** Canopies shall conform to the provisions of this Section, Section 3105 and other applicable Sections of this code. Canopies are permitted to be erected in the C, C-M, and M Districts over show windows or other display openings and loading platforms, subject to the following limitations:

**3202.12.2.1 Width.** Canopies are permitted to extend laterally on a building so as to cover the display window or space and a reasonable distance on each side thereof.

**3202.12.2.2 Clearance.** The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any canopy shall be 8 feet (2438 mm).

**3202.12.2.3 Projection.** Canopy projections shall not exceed 5 feet (1524 mm) into public space unless the plans are submitted to and approved by the code official.

**3202.12.3 Marquees.** Marquees shall conform to the provisions of this Section, Section 3106 and other applicable Sections of this code. Marquees shall meet the following width, height, and projection requirements:

**3202.12.3.1 Width.** No construction supported directly from the building, either

under the name of "marquee" or otherwise, shall be permitted to extend laterally on a building more than a sufficient length to cover the entrance and a reasonable distance on each side thereof.

**Exceptions.** Covered porches and marquees over loading platforms.

**3202.12.3.2 Clearance.** The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any marquee shall be 8 feet (2438 mm).

**3202.12.3.3 Projection.** On a parked street in a Residential District where the parking is not paved, or under Section 104.7 of DCMR Title 24 may not be paved, a marquee is permitted to project to the outer edge of line of said parking. On streets within C, C-M, and M Districts, on streets in a Residential District having no parking and streets on which the parking is paved or under Section 104.7 of DCMR Title 24 is permitted to be paved, the projection shall not exceed 5 feet (1524 mm), provided that if it is desired to exceed in projection the limits above specified, or to construct or support a marquee on posts, or otherwise than directly from the building, plans therefore shall be submitted to and approved by the code official.

**3202.12.4 Market sheds.** A market shed shall be permitted only on a site occupied by a market or produce house, when such site has been specifically designated as a market area.

**3202.12.4.1 Design.** The design of market sheds shall be approved by the code official, a permit shall be required, and all market sheds shall comply with the following provisions:

1. The shed roof is permitted over the public parking and public sidewalk of a building or buildings used for market purposes, extending from the building line to the curb.
2. The line of supports for the shed roof shall be at the inner edge of the sidewalk, the overhang being supported as a cantilever, unless the location of supports is otherwise approved by the Department of Public Works. The shed is permitted to be supported by hanging from the wall of the building when approved by the code official.
3. Gutters shall be provided throughout the length of all shed roofs, with downspouts equivalent to a 2 ½-inch pipe per 200 square feet of surface drains, the pitch of the roof to be at least ½ inch per foot.
4. Shed roofs shall be furnished with electric lights beneath them with a candlepower equivalent to one 100-candles lamp per 100 linear feet (30480 mm) of shed or fraction thereof.
5. Shed roofs shall comply with all structural requirements of Chapter 16 and other applicable Sections of this code.

**3202.12.4.2 Use of space.** No public space beneath a shed constructed as above shall be used for the display, sale or storage of produce or containers.

**Exception.** An area specifically designated as a market area for the retail or wholesale sale of produce on the premises is permitted to be used for the display, sale or storage of produce or containers. The exception shall not affect the temporary storage of materials incident to loading and unloading.

**3202.12.4.3 Special conditions.** The foregoing rules shall be observed by the code official as a guide in issuing permits for such construction except where the conditions are so obviously at variance with these general rules as to require special consideration. Cases requiring special consideration shall be reviewed as modifications pursuant to Chapter 1.

**3202.12.5 Loading platforms.** The code official is authorized to approve loading platforms projecting more than 5 feet (1524 mm) beyond the building line, in C-M and M Districts. Canopies over such platforms shall be permitted. Special approval by the code official shall be required for such platforms and canopies.

**3202.12.6 Platform scales.** Platform scales projecting on public space are permitted in C-M and M Districts. Special approval by the Director of Public Works shall be required.

**3202.13 Enclosed sidewalk cafés.** Enclosed sidewalk cafés shall comply with this Section and all other applicable Sections of this code.

**3202.13.1 Permits.** Permits for enclosed sidewalk cafés shall be issued by the code official and shall comply with all applicable laws and regulations. Each application shall be accompanied by drawings of the structure, prepared and signed by a structural engineer registered in the District of Columbia. Other enforceable laws and regulations governing sidewalk cafes include: The Enclosed Sidewalk Café Act of 1982, D.C. Law 4-148, effective September 16, 1982; Chapters 2 and 3 of DCMR Title 24; Mayor's Order No. 77-150, effective August 31, 1977; and regulations of the Department of Public Works, 30 D.C.R. 4346, August 26, 1983.

**3202.13.2 Design.** Permits for enclosed sidewalk cafés shall comply with Sections 3202.13.2.1 through 3202.13.2.5.

**3202.13.2.1 Walls and roofs.** Enclosed sidewalk cafés must have walls and roofs constructed of noncombustible materials.

**3202.13.2.2 Flooring.** Flooring shall comply with Section 804.

**3202.13.2.3 Enclosure materials.** Any enclosure materials, and the contents enclosed therein, must be capable of being removed within 24 hours.

**3202.13.2.4 Structural requirements.** Enclosed sidewalk cafés shall be constructed in accordance with Chapter 16 and other applicable Sections of this code.

**3202.13.2.5 Exits.** When the combined occupancies of the sidewalk café and the adjacent restaurant exceed 75 persons, two exits shall be provided from the sidewalk café, one of which shall open directly to the sidewalk, public alley, or public space abutting the café, and the other may open into the abutting restaurant. If two means of egress are required for the adjacent business property, both means of egress shall be required for the sidewalk café. If one of the exits is in the center of the café and serves the interior of the restaurant, the required aisle width shall be increased to a width deemed acceptable by the code official.